

Application No.: 09/980,880
Petition Dated: November 22, 2006
Reply to Office Communication: September 22, 2006

MAT-8189US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No: 09/980,880
Applicants: Yoshio GODA, et al.
Filed: September 3, 2002
Title: TOP SEALING PLATE, BATTERY USING THE TOP SEALING PLATE,
AND METHOD OF MANUFACTURING THE BATTERY (AS AMENDED)
TC/A.U.: 1745
Examiner: Robert W. Hodge
Confirmation No.: 1394
Docket No.: MAT-8189US

**PETITION UNDER 37 C.F.R. §1.137 TO
WITHDRAW HOLDING OF ABANDONMENT**

Mail Stop Petition

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Petition is being filed responsive to the Notice of Abandonment mailed
September 22, 2006.

The Notice contends that:

Applicants requested a Pre-Appeal Conference but have
failed to respond to the decision of the Pre-Appeal Panel.

Applicants' representative never received the decision of the Pre-Appeal Panel.
Thus, Applicants' representative was not aware that a time period had started for filing
an appeal brief.

The required practitioner's statement is enclosed.

Also enclosed is a copy of the docket record where the non-received office
communication would have been entered had it been received and docketed. Filing of
the appeal brief would have been docketed for April 15, 2006.

11/27/2006 MBELETE1 00000071 09980880

03 FC:1464

130.00 OP

Page 1 of 2

Adjustment date: 02/14/2007 CKHLOK
11/27/2006 MBELETE1 00000071 09980880
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0030037903

\$130.00

Card Refund Total:

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UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

| REQUEST FOR PATENT FEE REFUND | | | | | | | | | | | |
|---|-----------------------------------|----------------------------------|---|-----------|--|--|--|--|--|--|--|
| 1 Date of Request: 02/13/07 | | 2 Serial/Patent # 09/980,880 | | | | | | | | | |
| 3 Please refund the following fee(s): | | 4 PAPER NUMBER | 5 DATE FILED | 6 AMOUNT | | | | | | | |
| <input type="checkbox"/> | Filing | | | \$ | | | | | | | |
| <input type="checkbox"/> | Amendment | | | \$ | | | | | | | |
| <input type="checkbox"/> | Extension of Time | | | \$ | | | | | | | |
| <input type="checkbox"/> | Notice of Appeal/Appeal | | | \$ | | | | | | | |
| X | Petition 1464 | | 11/24/06 | \$ 130.00 | | | | | | | |
| <input type="checkbox"/> | Issue | | | \$ | | | | | | | |
| <input type="checkbox"/> | Cert of Correction/Terminal Disc. | | | \$ | | | | | | | |
| <input type="checkbox"/> | Maintenance | | | \$ | | | | | | | |
| <input type="checkbox"/> | Assignment | | | \$ | | | | | | | |
| <input type="checkbox"/> | Other | | | \$ | | | | | | | |
| | | 7 TOTAL AMOUNT OF REFUND | | \$ 130.00 | | | | | | | |
| | | 8 TO BE REFUNDED BY: | | | | | | | | | |
| 10 REASON: | | X | Treasury Check <i>CREDIT CARD</i> | | | | | | | | |
| <input type="checkbox"/> | Overpayment | | Credit Deposit A/C #: | | | | | | | | |
| <input type="checkbox"/> | Duplicate Payment | | 9 <table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table> | | | | | | | | |
| | | | | | | | | | | | |
| X | No Fee Due (Explanation): | | | | | | | | | | |
| Petition due to PTO error, no fee due. | | | | | | | | | | | |
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| | | | | | | | | | | | |
| 11 REFUND REQUESTED BY: | | | | | | | | | | | |
| TYPED/PRINTED NAME: Douglas I. Wood | | TITLE: Senior Petitions Attorney | | | | | | | | | |
| SIGNATURE: /douglas wood/ | | PHONE: 571-272-3231 | | | | | | | | | |
| OFFICE: Office of Petitions | | | | | | | | | | | |
| ***** THIS SPACE RESERVED FOR FINANCE USE ONLY: ***** | | | | | | | | | | | |
| APPROVED: <i>CRH/bk</i> | | DATE: 2/14/07 | | | | | | | | | |

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to: